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UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF UTAH

In re

GOAL'S GYM LLC,

Debtor.

Case No. 22-23708—RKM

DECLARATION OF
NICK CARVER

(Chapter 11 Subchapter V)

I, Nick Carver, state that:

1. I am the husband of the sole member and manager of the Goal's Gym LLC, Yessica Mendez.

2. I am over 18 years of age and, I am competent to testify.

3. If called to testify before this court, my testimony would be the same as in this Declaration.

4. My career is primarily in auto sales. I run the local auto auction in Logan, Utah and I own and operate a car dealership.

5. Just as Yessica assists me with my businesses, I also assist Yessica with Goals Gym where I have time to do so. In other words, these are small town, family ran businesses.

6. Yessica, counsel, and I have met and discussed the issues before the Court, namely the stay relief motion and the upcoming Plan that will be filed.

7. We have discussed that the feasibility of the confirmation plan is a main issue before the Court; and therefore, I provide the Court this declaration.

8. Goals Gym is on track with where we want it. As the monthly operating reports show, the business made \$5,843.70 in October, the first full month of the bankruptcy. The November operating report has not been filed yet, but it will show income of \$6,205.88, which is higher than the Debtor projected in its most recent six-month projection.

9. Although it is unclear what Matrix believes is owed on the equipment, being that its Motion for Stay Relief says \$171,626.25 and its Reply and Proof of Claim says \$197,770.74, I will supplement the Debtor's income to assure that Matrix is paid in full through the Plan.

10. I have attached proof of my income from the managing the local auto auction. As shown by the Exhibit, I receive \$9,000.00 a month plus commissions. As shown from my first three months running the auction, I made on average \$9,190.00.

11. Additionally, I continue to run and operate my business Auto Matrix Group LLC. It is difficult for me to say what my monthly income is on average as I have an accountant to who deciphers that each year for tax purposes, but from a review of the financials, it looks like Auto Matrix Group LLC is netting our family about \$5,128.80 month on average in 2022. As shown from the 2021 Auto Matrix Tax Returns attached hereto, that's slightly down from 2021 when the Auto Matrix Group LLC netted our family \$6,714.41 monthly, but that is expected as I spend time managing the auto auction now. Therefore, my gross monthly income averages about \$14,318.80.

12. I am not without financials issues though. I have repayment plan to the Utah State Tax Commission that I pay monthly for \$2,200.00 a month. However, we live a relatively modest lifestyle with a small mortgage payment of \$1,538.10 to Guild Mortgage. In reviewing

my personal budget with Yessica and counsel, we net, after all personal expenses, about \$5,000.00.

13. That coupled with the \$5000.00 to \$6000.00 of Goal's Gym income would be more than sufficient to pay a Plan payment necessary to satisfy Matrix through the Plan.

14. After discussing the issues with Yessica and Counsel, it sounds like Goals Gym would be proposing a plan that pays between \$5000.00 and \$8000.00 a month, far more than the \$3296.18 that Matrix states would be the largest possible plan payment.

15. Simply put, whatever shortfall, if any, Goals Gym has in funding a confirmable plan, I will make up with my income.

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief.

Executed on 12/06/2022.

By /s/ Nick Carver
Nick Carver
Declarant

[Not notarized pursuant to 28 U.S.C. § 1746]



To Whom It May Concern,

Nicholas Carver is employed as the General Sales Manager at Northern Utah Auto Auction. His Base pay is \$9000 a month plus commission and his start date was 9/01/2022.

Best Regards,

A handwritten signature in black ink, appearing to read 'Chris Williams'. The signature is stylized with a large, circular loop at the beginning and a long, sweeping tail that extends to the right.

Chris Williams

Owner

435-753-6822

Cheque 10430 | **CARVER, NICK** | 12/2/22 | \$4,000.00
Cheque 10415 | **CARVER, NICK** | 11/18/22 | \$5,000.00
Cheque 10370 | **CARVER, NICK** | 11/3/22 | \$4,000.00
Cheque 10345 | *Nicholas J. **Carver** | 10/20/22 | \$1,500.00 | ...**CARVER CARVER, NICK**...
Cheque 10341 | *Nicholas J. **Carver** | 10/20/22 | \$4,000.00
Cheque 10305 | **CARVER, NICK** | 10/5/22 | \$4,000.00
Cheque 10272 | *Nicholas J. **Carver** | 9/20/22 | \$4,000.00
Cheque | *Nicholas J. **Carver** | 9/20/22 | \$4,000.00
Cheque 10251 | **CARVER, NICK** | 9/7/22 | \$1,070.00

2021 S-Corporation Return
prepared for:

AUTO MATRIX GROUP LLC
1323 W 3350 S
NIBLEY, UT 84321

SAUNDERS NYDEGGER, PC
286 N GATEWAY DR STE 202
PROVIDENCE, UT 84332

**SAUNDERS NYDEGGER, PC
286 N GATEWAY DR STE 202
PROVIDENCE, UT 84332
(435) 752-9700**

July 8, 2022

AUTO MATRIX GROUP LLC
1323 W 3350 S
NIBLEY, UT 84321

Dear Client:

Your 2021 Federal S Corporation Income Tax return will be electronically filed with the Internal Revenue Service upon receipt of a signed Form 8879S - IRS e-file Signature Authorization. No tax is payable with the filing of this return. Enclosed for your review are the following tax returns:

Form 1120S 2021 U.S. S Corporation Income Tax Return

Form TC-20S 2021 Utah S Corporation Income Tax Return

Your 2021 Utah S Corporation Income Tax Return will be electronically filed with the State of Utah. No tax is payable with the filing of this return.

You must distribute a copy of the 2021 Schedule K-1 to each shareholder. Be sure to give each shareholder a copy of the Shareholder's Instructions for Schedule K-1 (Form 1120S).

Please call if you have any questions.

Sincerely,

ZACH RITTEL, CPA

Form **8879-S****IRS e-file Signature Authorization for Form 1120-S**

OMB No. 1545-0123

Department of the Treasury
Internal Revenue Service

For calendar year 2021, or tax year beginning _____, 2021, and ending _____, 20 ____.

2021

Name of corporation

AUTO MATRIX GROUP LLC

Employer identification number

81-XXXXXXX

Part I Tax Return Information (whole dollars only)

1	Gross receipts or sales less returns and allowances (Form 1120-S, line 1c)	1	9,103,212.
2	Gross profit (Form 1120-S, line 3)	2	1,270,284.
3	Ordinary business income (loss) (Form 1120-S, line 21)	3	80,573.
4	Net rental real estate income (loss) (Form 1120-S, Schedule K, line 2)	4	
5	Income (loss) reconciliation (Form 1120-S, Schedule K, line 18)	5	80,573.

Part II Declaration and Signature Authorization of Officer (Be sure to get a copy of the corporation's return.)

Under penalties of perjury, I declare that I am an officer of the above corporation and that I have examined a copy of the corporation's 2021 electronic income tax return and accompanying schedules and statements and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that the amounts in Part I above are the amounts shown on the copy of the corporation's electronic income tax return. I consent to allow my electronic return originator (ERO), transmitter, or intermediate service provider to send the corporation's return to the IRS and to receive from the IRS **(a)** an acknowledgement of receipt or reason for rejection of the transmission, **(b)** the reason for any delay in processing the return or refund, and **(c)** the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the corporation's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at **888-353-4537** no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I have selected a personal identification number (PIN) as my signature for the corporation's electronic income tax return and, if applicable, the corporation's consent to electronic funds withdrawal.

Officer's PIN: check one box only

☒ I authorize SAUNDERS NYDEGGER, PC to enter my PIN 02025 as my signature
ERO firm name Don't enter all zeros
on the corporation's 2021 electronically filed income tax return.

☐ As an officer of the corporation, I will enter my PIN as my signature on the corporation's 2021 electronically filed income tax return.

Officer's signature ▶ _____ Date ▶ _____ Title ▶ PRESIDENT

Part III Certification and Authentication**ERO's EFIN/PIN.** Enter your six-digit EFIN followed by your five-digit self-selected PIN.8702095555

Don't enter all zeros

I certify that the above numeric entry is my PIN, which is my signature on the 2021 electronically filed income tax return for the corporation indicated above. I confirm that I am submitting this return in accordance with the requirements of **Pub. 3112**, IRS *e-file* Application and Participation, and **Pub. 4163**, Modernized e-File (MeF) Information for Authorized IRS *e-file* Providers for Business Returns.

ERO's signature ▶ ZACH RITTEL, CPA Date ▶ _____

ERO Must Retain This Form — See Instructions
Don't Submit This Form to the IRS Unless Requested To Do So

BAA For Paperwork Reduction Act Notice, see instructions.Form **8879-S** (2021)

Application for Automatic Extension of Time To File Certain Business Income Tax, Information, and Other Returns

OMB No. 1545-0233

► **File a separate application for each return.**► **Go to www.irs.gov/Form7004 for instructions and the latest information.****Print
or
Type**

Name

AUTO MATRIX GROUP LLC

Identifying number

81-XXXXXXX

Number, street, and room or suite no. (If P.O. box, see instructions.)

1323 W 3350 S

City, town, state, and ZIP code (If a foreign address, enter city, province or state, and country (follow the country's practice for entering postal code).)

NIBLEY, UT 84321

Note: File request for extension by the due date of the return. See instructions before completing this form.**Part I Automatic Extension for Certain Business Income Tax, Information, and Other Returns.** See instructions.

1 Enter the form code for the return listed below that this application is for. 25

Application Is For:	Form Code	Application Is For:	Form Code
Form 706-GS(D)	01	Form 1120-ND (section 4951 taxes)	20
Form 706-GS(T)	02	Form 1120-PC	21
Form 1041 (bankruptcy estate only)	03	Form 1120-POL	22
Form 1041 (estate other than a bankruptcy estate)	04	Form 1120-REIT	23
Form 1041 (trust)	05	Form 1120-RIC	24
Form 1041-N	06	Form 1120S	25
Form 1041-QFT	07	Form 1120-SF	26
Form 1042	08	Form 3520-A	27
Form 1065	09	Form 8612	28
Form 1066	11	Form 8613	29
Form 1120	12	Form 8725	30
Form 1120-C	34	Form 8804	31
Form 1120-F	15	Form 8831	32
Form 1120-FSC	16	Form 8876	33
Form 1120-H	17	Form 8924	35
Form 1120-L	18	Form 8928	36
Form 1120-ND	19		

Part II All Filers Must Complete This Part2 If the organization is a foreign corporation that does not have an office or place of business in the United States, check here. ☐3 If the organization is a corporation and is the common parent of a group that intends to file a consolidated return, check here. ☐
If checked, attach a statement listing the name, address, and employer identification number (EIN) for each member covered by this application.4 If the organization is a corporation or partnership that qualifies under Regulations section 1.6081-5, check here. ☐5 a The application is for calendar year 20 21, or tax year beginning _____, 20 __, and ending _____, 20 __b **Short tax year.** If this tax year is less than 12 months, check the reason: ☐ Initial return ☐ Final return
☐ Change in accounting period ☐ Consolidated return to be filed ☐ Other (See instructions — attach explanation.)

6 Tentative total tax 6 0.

7 **Total** payments and credits. See instructions 7 0.8 **Balance due.** Subtract line 7 from line 6. See instructions 8 0.

Form	1120-S	U.S. Income Tax Return for an S Corporation ▶ Do not file this form unless the corporation has filed or is attaching Form 2553 to elect to be an S corporation. ▶ Go to www.irs.gov/Form1120S for instructions and the latest information.		OMB No. 1545-0123
Department of the Treasury Internal Revenue Service		2021		
For calendar year 2021 or tax year beginning , 2021, ending ,				
A S election effective date 1/01/2022	TYPE OR PRINT	AUTO MATRIX GROUP LLC 1323 W 3350 S NIBLEY, UT 84321	D Employer identification number 81-xxxxxxx	E Date incorporated 5/10/2016
B Business activity code number (see instructions) 441110			F Total assets (see instructions) \$ 384,665.	
C Check if Schedule M-3 attached <input type="checkbox"/>				
G Is the corporation electing to be an S corporation beginning with this tax year? See instructions. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
H Check if: (1) <input type="checkbox"/> Final return (2) <input type="checkbox"/> Name change (3) <input type="checkbox"/> Address change (4) <input type="checkbox"/> Amended return (5) <input type="checkbox"/> S election termination				
I Enter the number of shareholders who were shareholders during any part of the tax year 2				
J Check if corporation: (1) <input type="checkbox"/> Aggregated activities for section 465 at-risk purposes (2) <input type="checkbox"/> Grouped activities for section 469 passive activity purposes				
Caution: Include only trade or business income and expenses on lines 1a through 21. See the instructions for more information.				
INCOME	1 a Gross receipts or sales	1 a	9,103,212.	
	b Returns and allowances	1 b		
	c Balance. Subtract line 1b from line 1a.	1 c	9,103,212.	
	2 Cost of goods sold (attach Form 1125-A)	2	7,832,928.	
	3 Gross profit. Subtract line 2 from line 1c.	3	1,270,284.	
	4 Net gain (loss) from Form 4797, line 17 (attach Form 4797)	4		
	5 Other income (loss) (see instrs — att statement)	5		
6 Total income (loss). Add lines 3 through 5. ▶	6	1,270,284.		
DEDUCTIONS SEE INSTRS	7 Compensation of officers (see instructions — attach Form 1125-E)	7		
	8 Salaries and wages (less employment credits)	8		
	9 Repairs and maintenance	9	145,169.	
	10 Bad debts	10		
	11 Rents	11	71,229.	
	12 Taxes and licenses	12	24,272.	
	13 Interest (see instructions)	13	1,256.	
	14 Depreciation not claimed on Form 1125-A or elsewhere on return (attach Form 4562)	14	42,000.	
	15 Depletion (Do not deduct oil and gas depletion.)	15		
	16 Advertising	16	48,650.	
	17 Pension, profit-sharing, etc., plans	17		
	18 Employee benefit programs	18		
19 Other deductions (attach statement) SEE STATEMENT 1	19	857,135.		
20 Total deductions. Add lines 7 through 19. ▶	20	1,189,711.		
21 Ordinary business income (loss). Subtract line 20 from line 6.	21	80,573.		
TAX AND PAYMENTS	22a Excess net passive income or LIFO recapture tax (see instructions)	22a		
	b Tax from Schedule D (Form 1120-S)	22b		
	c Add lines 22a and 22b (see instructions for additional taxes)	22c		
	23a 2021 estimated tax payments and 2020 overpayment credited to 2021	23a		
	b Tax deposited with Form 7004	23b		
	c Credit for federal tax paid on fuels (attach Form 4136)	23c		
	d Add lines 23a through 23c.	23d		
	24 Estimated tax penalty (see instructions). Check if Form 2220 is attached. ▶ <input type="checkbox"/>	24		
	25 Amount owed. If line 23d is smaller than the total of lines 22c and 24, enter amount owed.	25	0.	
	26 Overpayment. If line 23d is larger than the total of lines 22c and 24, enter amount overpaid.	26		
27 Enter amount from line 26: Credited to 2022 estimated tax ▶ Refunded ▶ 27				
Sign Here	Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.			
	Signature of officer		Date	PRESIDENT Title
Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed PTIN
	ZACH RITTEL, CPA	ZACH RITTEL, CPA		P01852942
	Firm's name ▶ SAUNDERS NYDEGGER, PC	Firm's EIN ▶ 87-xxxxxxx		
	Firm's address ▶ 286 N GATEWAY DR STE 202 PROVIDENCE, UT 84332	Phone no. (435) 752-9700		